

# FINAL BILL REPORT

## SSB 5748

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Synopsis as Enacted

**Brief Description:** Creating an account to support necessary infrastructure nearby military installations.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Conway, O'Ban, Frockt, Rolfes, Randall and Zeiger).

**Senate Committee on State Government, Tribal Relations & Elections**  
**Senate Committee on Ways & Means**  
**House Committee on Capital Budget**

**Background:** The Growth Management Act. The Growth Management Act (GMA) is the comprehensive land-use planning framework for counties and cities in Washington. The GMA establishes land use designations and environmental protection requirements for all Washington counties and cities. Under the GMA, local government comprehensive plans and development regulations are discouraged, but not prohibited, from allowing development in the vicinity of a military installation that is incompatible with the installation's mission requirements.

As part of the land use element, GMA planning jurisdictions containing or adjacent to certain federal military installations operated by the U.S. Department of Defense (DOD) must notify the commander of the military installation of an intent to amend comprehensive plans or development regulations to address lands adjacent to the military installation. This requirement does not apply to reserve centers or facilities employing fewer than 100 personnel. The purpose of this notification is to protect the land from incompatible development.

Joint Land Use Studies. DOD implements a program to ensure community development and economic growth do not interfere with the military's ability to test and train. One facet of this program may include targeting a military installation for a joint land use study (JLUS), in coordination with state or local governments. A JLUS includes a strategic plan to ensure civilian growth and development are compatible with training, testing, and other military missions. State or local governments must apply to DOD to receive assistance in carrying out a JLUS.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The 2016 supplemental operating budget, directed the Department of Commerce (Commerce) to complete a study addressing best practices for avoiding incompatible development near military installations.

Base Realignment and Closure. Base realignment and closure (BRAC) is a process DOD has used to reorganize its base structure to more efficiently and effectively support its forces, increase operational readiness, and facilitate new ways of accomplishing its mission. More than 350 installations have been closed in five BRAC rounds: 1988, 1991, 1993, 1995, and 2005. No BRAC commission process is ongoing or authorized.

**Summary:** The Defense Community Compatibility Account is created in the state treasury. Subject to the availability of funding, Commerce may award grants to local governments for:

- acquiring real property or real property interests to eliminate an existing incompatible use;
- projects to jointly assist in recovering or protecting endangered species dependent on military installation property for habitat;
- local infrastructure or facilities necessary to help a community accommodate an expanded military presence in their community;
- projects or programs to increase the availability of affordable housing to enlisted military personnel; and
- projects to retrofit existing uses to increase their compatibility with existing military operations.

Commerce may expend funds for projects identified by applicants to address incompatible development connected to Washington State military installations.

Grants may only be awarded for projects prioritized by Commerce. Commerce will give priority to local governments whose applications are accompanied by expressed support of partners, including nonprofit community or neighborhood based organizations, public development authorities, or federally recognized Indian tribes.

Commerce must produce a report with a prioritized list of projects to address incompatible developments near military installations by January 1, 2020, and every two years thereafter. Projects must be prioritized with consideration for:

- recommendations of the DOD BRAC, JLUS, or other federally initiated land use processes; and
- whether a branch of the U.S. Armed Forces has identified the project as increasing the viability of military installations.

**Votes on Final Passage:**

Senate	47	1	
House	97	1	(House amended)
Senate	45	1	(Senate concurred)

**Effective:** July 28, 2019